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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/757,771	CHEHADE ET AL.
	Examiner	Art Unit	
	GREGORY JOHNSON	3691	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>19 February 2008</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>26,28-33,37,42-47,51 and 61-69</u> is/are pending in the application.

    4a) Of the above claim(s) <u>51</u> is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>26,28-33,37,42-47 and 61-69</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>11/30/2007</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to Applicant Argument/Remarks filed

February 19, 2008.

Election/Restrictions

2.   Claim 51 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as

being drawn to a nonelected invention, there being no allowable generic or linking claim.

An oral election was made **without** traverse by Jack Friedman via a telephone call on

March 31, 2008.

Status of Claims

3.   Claims 1-25, 27, 34-36, 48-50 and 52-60 are canceled. Claims 26, 28-33, 37,

43-47, 51 and 62-63 are as previously presented. Claim 42 is original. Claim 51 has

been withdrawn. Claim 61 is amended. Claims 64-69 are new. Claims 26, 28-33, 37,

42-47 and 61-69 are pending.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the
> art to which it pertains, or with which it is most nearly connected, to make and use the same and shall
> set forth the best mode contemplated by the inventor of carrying out his invention.

5.   Claim 65 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply

with the written description requirement. The claim contains subject matter which was

not described in the specification in such a way as to reasonably convey to one skilled

in the relevant art that the inventor, at the time the application was filed, had possession

of the claimed invention.

Claim 65 recites the following limitations:

- modify the header, including strip unneeded information from the header
  and alter content of the header; and

- digitally sign the modified header.

The Examiner is unable to find support in the specification for "alter content of the

header." On page 38, lines 8-14 of the specification, there is support for stripping

unneeded information from the header (i.e. modifying the header). If altering the

content of the header is meant to mean doing something more then that as recited in

lines 8-14, then Applicants' response to this Office Action needs to specify where

support for "alter content of the header" can be found. In addition, if "alter content of the

header" can be interpreted as being the same as "modify the header", then the claim

language is redundant. For examination purposes, the Examiner has interpreted "alter

content of the header" to mean the same as "modify the header." If Applicants are

unable to provide specification support for this limitation, appropriate correction to the

claim is required.

In regards to the 2nd limitation listed above, the Examiner also could not find

support for this limitation. There are only two paragraphs within the specification that

contain both of the words "digital" and "header." The first is on page 31, where lines 13-

16 disclose examining the header and verifying digital signatures. The second is on

page 38, which recites:

> Unneeded message **header** and tail information is then stripped from the message, and the next validation test is performed. The next validation test may be authentication of the identity of the sender of message. One service provided by process management platform 318 is to ensure authentication of the transaction for trading participants. This capability of process module 318 is performed in step 720. In addition, the message may contain a **digital** signature.

The passage does not recite "digitally sign the *modified header*." Applicants' response to this Office Action needs to specify where the support for this limitation can be found in the specification. If Applicants are unable to provide specification support for this limitation, appropriate correction to the claim is required. For examination purposes, the Examiner has interpreted the limitation to be that as recited in the last sentence of the passage above (i.e. messages may contain a digital signature).

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7.   Claim 28 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 28 recites the limitation "The computer program product of claim 26 wherein said process gateway interfaces with at least one legacy system….." There is insufficient antecedent basis for this limitation in the claim. The phrase "process gateway interfaces" was previously recited in claims 1, 3, 27 and 48; all of which have been canceled. Appropriate correction is required.

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 26, 28-33, 37, 42-47 and 61-69 are rejected under 35 U.S.C. 101

because the claimed invention is directed to non-statutory subject matter. There are

four (4) statutory categories for claiming an invention and they are as follows:

1) process or method (which may be a process of making something or a process of using something),
2) a machine or apparatus,
3) a manufacture (article), and
4) a composition of matter.

In regards to the independent claim 26, the Examiner has interpreted the claim

as being drawn to the apparatus statutory category because of the use of "computer" in

the preamble. However, the body of the claim does not contain any limitations

indicating the structure of the computer. An apparatus claim should always claim the

structure (e.g. hardware, machine or apparatus) that is *performing the function*.

Applicant's claimed limitations do consist of "a computer readable medium" and

"computer readable program code" (i.e. software); this does not distinctly describe the

structure of the computer. Appropriate correction is required.   Applicant may consider

the following amendment to the first limitation:

"a computer readable medium having computer readable program code

embodied therein, said computer readable program code when executed by a

computer, enables the computer to:"

Claims 28-33, 37, 42-47 and 61-69 are rejected to because of their dependency

on claim 26.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 26, 29-30, 37, 42-47, 61-63 and 66-67 are rejected under 35

U.S.C. 102(e) as being anticipated by Ankireddipally et al., Pat. No. 6,772,216

(hereinafter Ankireddipally).

As to claim 26, Ankireddipally discloses a computer program product (Abstract;

col. 11, lines 24-40) with the following limitations:

- a computer readable medium having computer readable program code
  embodied therein (claim 20),

said computer readable program code configured to:

- obtain a first business process data from at least one first trading
  participant (i.e. trading partner), said first business process data
  comprising a set of transaction messages having a first data format in

accordance with a first protocol for conducting business transactions used

by said at least one first trading participant (col. 12, lines 22-31);

- process said first business process data at a process management

    platform (e.g. Commerce Exchange Server; Fig. 1) accessible via an

    interconnection fabric, wherein said process management platform is

    configured to manage the flow of said transaction messages and monitor

    said transaction messages, wherein said process management platform is

    configured to automatically determine a second at least one of a plurality

    of second trading participants to satisfy said first business process data

    (Abstract; col. 5, line 64 thru col. 6, line 1-13; col. 8, lines 17-42; and

    col. 13, lines 30-60);

- identify a second protocol for conducting said business transactions used

    by said at least one of a plurality of second trading participants (e.g. the

    Ariba Network platform; col. 5 lines 27-35);

- generate a second business process data from said first business process

    data, the second business process data comprising a set of transaction

    messages having a data format in accordance with said identified second

    protocol (e.g. the Ariba Network platform; col. 5 lines 27-35); and

- transmit said second business process data from said process

    management platform to said at least one of said plurality of second

    trading participants, such that said first and second trading participants

    conduct said business transactions in accordance with their respective

protocols for conducting business transactions (e.g. the Ariba Network

platform; col. 5 lines 27-35).

As to claims 29-30, Ankireddipally discloses the following limitations:

- wherein said process management platform broadcasts said first business

  process data to said plurality of second trading participants (col. 12, lines

  32-48),

- said process management platform being further configured to utilize at

  least one open protocol that defines a business process (e.g. EDI; col. 5,

  line 64 thru col. 6, line 1-13); and

- computer readable program code configured to modify said first business

  process data to conform said first business process data to a uniform

  format (col. 5, line 64 thru col. 6, line 1-13; and col. 21, line 49 thru col. 22,

  line 6).

As to claims 37, 42-47, Ankireddipally discloses the following limitations:

- wherein said at least one first trading participant comprises an entity

  utilizing said first business process data (col. 1, lines 20-62 and col. 6, line

  61 thru col. 7, line 17);

- wherein said process management platform comprises a plurality of

  distributed systems (col. 22, lines 43-51);

- wherein said process management platform comprises a business
  process interface associated with said at least one first trading participant
  and said at least one of a plurality of second participants (col. 5, line 64
  thru col. 6, line 1-13);

- computer readable program code configured to provide said at least one
  first trading participant and said at least one of a plurality of second trading
  participants access to a business process interface (col. 5, line 64 thru col.
  6, line 1-13; and claim 20);

- wherein said business process interface is provided via a web browser
  (col. 11, lines 23-40; col. 14, lines 28-41; and col. 25, lines 16-24);

- wherein said business process interface facilitates the transmission of
  data comprising at least a portion of said business process data (col. 5,
  line 64 thru col. 6, line 1-13; and col. 6, lines 41-60); and

- wherein said business process interface facilitates the formatting of data
  comprising at least a portion of said business process data (col. 21, lines
  5-9).

As to claims 61-63, Ankireddipally discloses (col. 5 lines 27-35) that the Ariba
Network platform is capable of performing the following limitations:

- wherein said computer program code configured to identify said second
  protocol for conducting business transactions used by said at least one of
  a plurality of second trading participants further comprises computer

program code configured to determine whether said second protocol for conducting business transactions used by said at least one of a plurality of second trading participants is other than said first protocol for conducting business transactions used by said at least one first trading participant;

- wherein said first protocol for conducting business transactions used by said at least one first trading participant is other than said second protocol for conducting business transactions used by said at least one of a plurality of second trading participants; and

- wherein said first protocol for conducting business transactions used by said at least one first trading participant is said second protocol for conducting business transactions used by said at least one of a plurality of second trading participants (e.g. Commerce Exchange Interaction Protocol; Abstract).

As to claims 66-67, Ankireddipally discloses the following limitations:

wherein the computer readable program code is configured to:

- receive acknowledgment of receipt of the second business process data by the at least one of said plurality of second training participants (col. 18, line 10 thru col. 20, line 8); and

- transmit the received acknowledgment to the first trading participant (col. 18, line 10 thru col. 20, line 8); and

- apply logic to the first business process data to perform a service for the

  first trading participant, said service including generating the second

  business process data as differing from the first business process data

  (e.g. a service of translating messages from one protocol to another; col.

  15, lines 44-47).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

1.   Determining the scope and contents of the prior art.
2.   Ascertaining the differences between the prior art and the claims at issue.
3.   Resolving the level of ordinary skill in the pertinent art.
4.   Considering objective evidence present in the application indicating
       obviousness or nonobviousness.

6.   Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Ankireddipally, in view of Shannon et al., Pub. No. 2002/0046301 (hereinafter

Shannon).

As to claim 28, Ankireddipally does not disclose the following limitation:

- wherein said process gateway interfaces with at least one legacy system of one or both of said at least one first trading participant and said at least one of said plurality of second trading participants.

However, Shannon teaches that when businesses attempted to expand electronic commerce and communication abilities within their organizations and across to business partners, they found themselves with limited and expensive options due to various technical problems. Shannon teaches that many such businesses had proprietary systems and that electronic commerce and communication with their business partners entailed these organizations communicating via custom-built gateways to Legacy or near-Legacy systems (¶0003). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the use of gateways to Legacy or near-Legacy systems as taught by Shannon, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

7.   Claims 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally, in view of Conklin et al., Pat. No. 6,336,105 (hereinafter Conklin).

As to claims 31-32, Ankireddipally discloses storing message documents (col. 9, lines 34-54); however, Ankireddipally does not explicitly disclose the following limitations:

- archiving said first business process data in a storage medium; and
- computer readable program code configured to provide said archived first business process data to an entity for non-repudiation purposes.

Conklin teaches a method used within an electronic negotiations community where a negotiations engine processes each negotiations and stores and archives each "round" or step of the negotiations for non-repudiation purposes (Abstract and col. 30, lines 1-20). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the storing and archiving method as taught by Conklin, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

8.   Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally, in view of Drolet et al., Pub. No. 2002/0147622 (hereinafter Drolet).

As to claim 33, Ankireddipally discloses the use of Partner Interface Processes (PIPs) which form the basis for e-commerce; however, Ankireddipally does not explicitly disclose the following limitations:

- wherein said first business process data comprises at least one partner interface process.

Drolet teaches that in an electronic hub used to facilitate supply chain management, PIPs are used to reference data elements that are exchanged between supply chain partners (Abstract and ¶0063). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the use of PIPs as taught by Drolet, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

9. Claim 64 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally, in view of Wray, pat. No. 6,952,768 (hereinafter Wray) and Shippy et al., Pat. No. 7,269,744 (hereinafter Shippy).

As to claim 64, Ankireddipally discloses the following limitation:

- wherein the second protocol differs from the first protocol (e.g. the Ariba
  Network platform; col. 5 lines 27-35).

Ankireddipally does not disclose the following limitation:

- wherein the transaction messages comprise an unencrypted header and
  encrypted payload data compatible with the first data format.

However, Wray teaches a method for providing an end-to-end secure communication path between a first end system and a second end system. Wray teaches that the method includes encryption/decryption services for the messages that are exchanged over the communications path. Wray teaches that the messages have unencrypted header fields and that the payload can be encrypted (Abstract: col. 1, lines 46-52; col. 3, lines 46-67; and col. 16, lines 23-29). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method for encryption and decryption as taught by Wray, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

Ankireddipally also does not disclose the following limitation:

- wherein the computer readable program code is configured to decrypt the
  encrypted payload data and subsequently re-encrypt the decrypted

> payload data according to the data format in accordance with said
>
> identified second protocol.

However, Shippy teaches a method where a data stream (e.g. message) that has a protocol specific encrypted data (i.e. payload) is received by a second system from a first system. Shippy teaches that the second system can perform a translation of the data by decrypting the encrypted protocol specific data to produce the decrypted data. Once the data is decrypted, the payload of the decrypted data is re-encrypted (Abstract and col. 13, lines 41-48). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method for encryption and decryption as taught by Shippy, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

10.   Claim 65 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ankireddipally, Wray and Shippy as applied to claim 64 above, and further in view of Callon et al., Pat. No. 5,251,205 (hereinafter Callon) and Ma, Pat. No. 6,976,075 (hereinafter Ma).

As to claim 65, neither Ankireddipally, Wray nor Shippy discloses or teaches the following limitation:

wherein the computer readable program code is configured to:

- determine that information in the header is compatible with the at least one of the plurality of second trading partners (e.g. network node; see specification, page 24);

However, Callon teaches that in a method for routing multiple protocols that the encapsulation header on the user data packet is checked to determine if the header is compatible with the next router's protocol (e.g. network node; col. 29, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method of checking the header of data packets for compatibility as taught by Callon, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

Also, neither Ankireddipally, Wray, Shippy nor Callon discloses or teaches the following limitation:

- modify the header, including strip unneeded information from the header and alter content of the header (e.g. wireless network; see specification, page 25).

However, Ma teaches that in a wireless network a simplified header is used for communicating with a PDA. Ma teaches that the simplified header is a header that is reduced in size and contains a minimal amount of information (Abstract; col. 3, lines 29-38; col. 4, lines 48-55; and col. 9, lines 1-17. It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method of using a simplified header as taught by Ma, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

In addition, neither Ankireddipally, Shippy, Callon nor Ma discloses or teaches the following limitation:

- digitally sign the modified header (i.e. message contains digital signature).

However, Wray teaches a method for providing an end-to-end secure communication path between a first end system and a second end system. Wray teaches that the method includes encryption/decryption services for the messages that are exchanged over the communications path. Wray teaches that the messages include digital signatures (col. 9, lines 39-52). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method of using digital signatures as taught by Wray, since the claimed invention is

merely a combination of old elements, and in the combination each element merely

would have performed the same function as it did separately, and one of ordinary skill in

that art would have recognized that the results of the combination were predictable.

See MPEP 2143 (Rev. 6, Sept 2007).

11.   Claim 68 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Ankireddipally, in view of Barzilai et al., Pub. No. 2002/0029201 (hereinafter Barzilai)

and Mahanti et al., Pub. No. 2002/0052824 (hereinafter Mahanti).

        As to claim 68, Ankireddipally does not explicitly disclose the following limitations:

- wherein the at least one of said plurality of second trading participants
  comprises at least two second trading participants of said plurality of
  second trading participants;

- wherein the second business process data is an offer of a trading
  participation agreement between the first trading participant and a
  satisfactory second trading participant of said at least two second trading
  participants;

- wherein the service is a service of negotiating said trading participation
  agreement between the first trading participant and said satisfactory
  second trading participant; and

- wherein said computer readable program code is configured to
  sequentially transmit said second business process data to each second

> trading participant of said at least two second trading participants and to
> subsequently receive a reply from each respective second trading
> participant of said at least two second trading participants before
> transmitting said second business process data to a next second trading
> participant of said at least two second trading participants.

However, Barzilai teaches a method for controlling business privacy in the electronic marketplace in which first and second parties exchange information; the second party is one of a plurality of parties (¶0022). Barzilai also teaches that within the electronic marketplace transactions (e.g. offer to buy) and negotiations between a buyer and seller are performed automatically by a market maker (i.e. intermediary server; ¶0051 and ¶0053). Barzilai also teaches that if the marker maker is unable to reach an agreement with a seller, the market maker will attempt to negotiate with another seller offering the desired item which the buyer wants to purchase (¶0055). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include in the system and method for managing application-to-application communication of Ankireddipally, the method of negotiating the purchase of an item of goods or services as taught by Barzilai, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in that art would have recognized that the results of the combination were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

Barzilai teaches the use of user defined negotiation policies (i.e. rules; Abstract);

however, neither Ankireddipally nor Barzilai explicitly discloses or teaches the following

limitation:

- wherein upon receiving a satisfactory reply from a last second trading
  participant of said at least two second trading participants, said computer
  readable program code is configured to send confirmation to the first
  trading participant that said trading participation agreement has been
  successfully negotiated between the first trading participant and said
  satisfactory second trading participant, said satisfactory second trading
  participant consisting of said last second trading participant.

Mahanti teaches a method for performing automated negotiation processing in

an electronic trading server in which users specify negotiation rules, such as

notifications in connection with transactions.   Mahanti teaches that this provides an

option for user confirmations being required in connection with completing or accepting

a particular offer, such as by a return e-mail response option (Abstract; ¶0110 and

¶0302). It would have been obvious to one of ordinary skill in the art at the time of

Applicant's invention to include in the system and method for managing application-to-

application communication of Ankireddipally, the method of user defined rules (i.e.

policy) that included an option for user confirmations as taught by Mahanti, since the

claimed invention is merely a combination of old elements, and in the combination each

element merely would have performed the same function as it did separately, and one

of ordinary skill in that art would have recognized that the results of the combination

were predictable. See MPEP 2143 (Rev. 6, Sept 2007).

12.   Claim 69 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Ankireddipally, in view of Buonanno et al., Pub. No. 2002/0065885 (hereinafter

Buonanno).

As to claim 69, Ankireddipally does not disclose the following limitations:

wherein said computer readable program code comprises:

- a virtual trading participant, wherein the virtual trading participant is

  configured to receive fictitious business process data from the first trading

  participant and to both acknowledge the fictitious business process data

  and reply to the first trading participant that the fictitious business process

  data has been acknowledged in order to enable the first trading participant

  to determine that the first trading participant is prepared to automatically

  transmit the first business data to complete said business transactions.

However, Buonanno teaches that in a method and system for business-to-

business transactions, a web server with web collaboration software can be used to

provide software demonstrations or training sessions to groups of people scattered

across the country or around the world (¶0042). It would have been obvious to one of

ordinary skill in the art at the time of Applicant's invention to include in the system and

method for managing application-to-application communication of Ankireddipally, the

method of providing software demonstrations as taught by Buonanno, since the claimed

invention is merely a combination of old elements, and in the combination each element

merely would have performed the same function as it did separately, and one of

ordinary skill in that art would have recognized that the results of the combination were

predictable. See MPEP 2143 (Rev. 6, Sept 2007).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to GREGORY JOHNSON whose telephone number is

(571) 272-2025. The examiner can normally be reached on Monday - Friday, 8:30AM -

5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, ALEXANDER KALINOWSKI can be reached on (571) 272-6771. The fax

phone number for the organization where this application or proceeding is assigned is

571-273-8300.

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lalita M Hamilton/   GREGORY JOHNSON
Primary Examiner, Art Unit 3691   Examiner
                                                           Art Unit 3691